

1 MICHAEL COSENTINO, SBN 83253
2 ATTORNEY AT LAW
3 P.O. Box 129
4 Alameda, CA 94501
5 Telephone: (510) 523-4702
6 Fax: 510-747-1640

7 Attorney for Plaintiff,
8 United States of America

9
10 **IN THE UNITED STATES DISTRICT COURT**
11 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**
12 **SAN FRANCISCO DIVISION**

13 **UNITED STATES OF AMERICA,**

14 Plaintiff,

15 v.

16 **DAVID H. HATAMI,**

17 Defendant.

NO. CV11-6567 MEJ

CONSENT JUDGMENT

18 The above entitled plaintiff having filed its complaint herein, and the above entitled
19 defendant having consented to the making and entry of this final judgment without trial,
20 hereby agree as follows:

21 1. This Court has jurisdiction over the subject matter of this litigation and over the
22 parties to the Consent Judgment. The Complaint herein states a claim upon which relief
23 can be granted. The defendant hereby acknowledges and accepts service of the
24 complaint filed herein.

25 2. In accordance with the provisions of Title 28 U.S.C. Section 636(c) the parties
26 hereby voluntarily waive their rights to proceed before a judge of the United States District
27 Court and consent to have a United States magistrate judge conduct any and all further
28 proceedings in the case, including trial, and order the entry of a final judgment. It is

1 understood that any appeal from a judgment entered by a magistrate judge will be taken
2 directly to the Ninth Circuit of the United States Court of Appeals in the same manner as
3 an appeal from any other judgment of a District Court.

4 3. Judgment shall be in favor of Plaintiff, United States of America, and against
5 defendant, David H. Hatami, in the sum of \$186,021.66 consisting of \$123,645.18 in
6 principal, \$62,331.50 interest to December 14, 2012, CIF costs of \$0.00, court costs of
7 \$45.00 and attorney's fees of \$0.00, plus interest in the amount of \$11.42 per day on
8 principal from December 14, 2012, up to the date of entry of Judgment, less any sums
9 tendered toward satisfaction of the obligation during said time period.

10 4. This consent judgment shall bear interest pursuant to the provisions of 28
11 U.S.C §1961(a) at the legal rate per annum from the date of entry of judgment, which
12 interest will be compounded annually pursuant to the provisions of 28 U.S.C. §1961(b)
13 until paid in full.

14 5. Defendant shall pay \$300.00 monthly, subject to a 10 day grace period,
15 commencing January 15, 2013, and continuing monthly thereafter, each payment being
16 due on the 15th day of each month, until the account is paid in full.

17 6. Payments shall be made payable to the US Department of Justice and bear
18 defendant's name and CDCS # and mailed to:

19 U. S. Department of Justice
20 Nationwide Central Intake Facility
21 P. O. Box 790363
22 St. Louis, MO 63179-0363

23 7. (a) Each said payment shall be applied first to the payment of interest accrued
24 to the date of receipt of said payment, and the balance, if any, to the principal;

25 (b) The Judgment debtor shall submit financial data to the plaintiff as specified
26 by plaintiff on the anniversary date of this judgment for each year this judgment remains
27 unpaid; and

28 (c) Plaintiff reserves the right to evaluate the updated financial data and adjust
the periodic payment rate accordingly, or to demand a lump sum payment if warranted

1 by the judgment debtor's financial circumstances, subject to Court approval.

2 8. An Abstract of Judgment shall be recorded with the Recorder's Office of the
3 County of residence of the judgment debtor; plaintiff may also record or file similar
4 documents elsewhere.

5 9. Default under the terms of this consent judgment will entitle the United States
6 of America to execute on this judgment without notice to the judgment debtor.

7 10. The judgment debtor has the right of prepayment of this debt without penalty,
8 and the interest charged will only be calculated to the date of final payment.

9 11. In case of default, all costs incurred in recording, filing, executing, or levying
10 on, satisfying, or otherwise servicing this judgment shall be paid by the judgment debtor.

11 12. Upon a change in address of record for the defendant, defendant shall report
12 the new address to the court and to counsel for plaintiff,

13 Dated: December 14, 2012

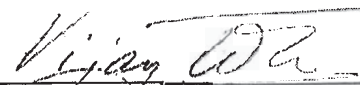

14 Michael Cosentino
Counsel for plaintiff

15 I have read the foregoing; I understand and agree to the terms, and I
16 sign this agreement as a free and voluntary act.

17
18 Dated: 03-11-2013


19 David H. Hatami
20 Defendant

21 Dated: 03-27-2013


22 Haring + Smith, LLP
23 By: Vijay K. Toke
Counsel for defendant

24 APPROVED AND SO ORDERED THIS 28TH DAY OF MARCH 2013

25 The Clerk of the Court is DIRECTED to close the file in the action.

26
27
28 
UNITED STATES MAGISTRATE JUDGE MARIA-ELENA JAMES